

REMARKS

Claims 12-22 are pending. Applicants elect Group I (claims 12-21) for examination on the merits. With regard to the requirement for an election of species, replacement of eight cysteine residues at positions 76, 90, 137, 138, 139, 147, 149 and 221 is elected. Claims 12-21 read on the elected species. Applicants also reserve the right to prosecute nonelected subject matter in a further patent application.

It is noted that Mangold et al. (Virology 211, 535-543, 1995) does not teach any hollow nanoparticles as required by the pending claims. Therefore, the reference cited on page 2 of the Office Action does not show that the claims lack a special technical feature. Applicants request withdrawal of the Examiner's finding of lack of unity.

Finally, under the Commissioner's Notice of March 26, 1996 (1184 OG 86) implementing the Federal Circuit's decisions of *In re Ochiai*, 37 USPQ2d 1127 (1995) and *In re Brouwer*, 37 USPQ2d 1663 (1996), Applicants request rejoinder of nonelected claim 22 directed to a method of using the elected product upon an indication that claim 20 is allowable.

Applicants earnestly solicit an early and favorable examination on the merits. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Gary R. Tanigawa/
Gary R. Tanigawa
Reg. No. 43,180

901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100